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KRIEGER - WILANSKY

SIMMONS, JANNACE &amp; STAGG

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**MEMO ENDORSED**

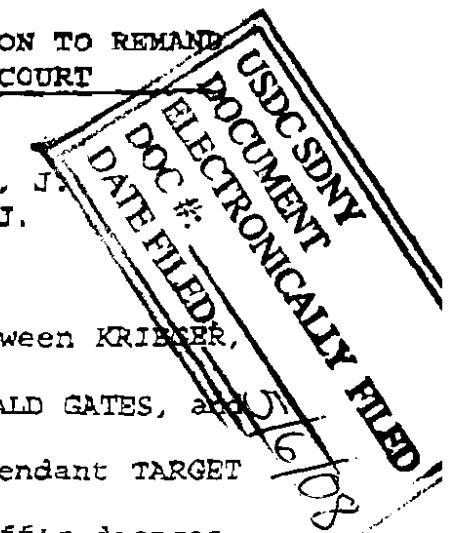
GERALD GATES,

Plaintiff,

-against-

TARGET CORPORATION,

Defendant.

Civil Action No.:  
07-cv-11036 (MGC) (DEF)STIPULATION TO REMAND  
TO STATE COURTCedarbaum, J.  
Eaton, M.J.

IT IS HEREBY STIPULATED AND AGREED, by and between KRIEGER, WILANSKY & HUPART, ESQS., attorneys for plaintiff GERALD GATES, and SIMMONS, JANNACE & STAGG, L.L.P., attorneys for defendant TARGET CORPORATION (hereinafter "Target"), that the plaintiff's damages, including but not limited to, pain and suffering, personal injury, medical expenses, loss of earnings and/or any other special damages relating to the alleged accident which forms the basis of this lawsuit, shall not exceed the sum of SEVENTY-FIVE THOUSAND DOLLARS AND 00/100 (\$75,000.00), and that any claim for damages as a result of the accident that is the subject of this lawsuit is hereby forever reduced to the sum of SEVENTY-FIVE THOUSAND DOLLARS AND 00/100 (\$75,000.00).

IT IS HEREBY FURTHER STIPULATED AND AGREED, that in exchange for the above, defendant Target hereby consents to the remand of this matter from the United States District Court to the Supreme Court of the State of New York, County of Bronx.

Dated: Syosset, New York  
May 6, 2008

KRIEGER, WILANSKY & HUPART, ESQS.

SIMMONS, JANNACK & STAGG, L.L.P.

By:

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By:

Michael D. Kern  
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Attorneys for Defendant  
TARGET CORPORATION  
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Syosset, New York 11791-3139  
(516) 357-8100

Seal Remand

So ordered,  
May 6, 2008

The Clerk is directed promptly to send the file of this case to the Clerk of the Supreme Court of Bronx County, New York.

S/

United States District Judge